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SUBJECT: SOMALIA - Ruling Party Undermines Somaliland Elections

REF: Nairobi 1271

Nairobi 1539

1. (SBU) Summary: Somaliland's on-again, off-again presidential election preparations, that were to have resulted in registered voters casting their ballots on September 27, were dealt a serious setback on July 28 - 30 when incumbent President Riyale and a compliant National Electoral Commission (NEC) decided to abandon the international community-funded voter registration lists and instead hold elections the "traditional Somali way." Riyale's action sparked howls of protest by Somaliland's two opposition parties and a public statement of concern by the international community. The protests triggered the expulsion of the technician for an NGO charged with compiling the lists. Efforts by the Somalia Unit and the British Ambassador in Addis Ababa to contact Riyale in the wake of the expulsion have been to date rebuffed by the President. Somaliland's largest cable television network, Horn Cable Television, was ordered to suspend broadcasting as the scandal gathered steam. End summary.

Stakeholders Meet Most Conditions

2. (SBU) Somaliland's electoral process continues to proceed in fits and starts. Over the last several weeks, the political parties, NEC, and the government managed to meet almost of all the stipulated conditions for getting the troubled presidential elections (reftels) back on track. Accomplishments:

-- an agreement on the parameters to be used in compiling the final voter registration list was signed on June 23;

-- a code of conduct was signed on July 11;

-- a Government contribution (approximately \$1.25 million) for the elections was received on July 13;

-- harmonization of the electoral laws was approved by parliament on July 18;

-- the Government's plan to ensure security during the campaign and voting period was presented on July 19.

3. (SBU) The only condition not met was the reconstitution of the NEC, though all parties, including President Riyale, had agreed to replace three or four NEC members. (The international donor community had insisted that the NEC had to be reconstituted under new leadership if it was to discharge its responsibilities. On July 27, the Somalia Unit made this point to both President Riyale and with Kulmiye Chairman Ahmed Silanyo.

Voter Registration
List Complete

14. (SBU) On July 27, an elections expert from US-based Creative Associates (contracted by Interpeace with USAID funds) provided an independent analysis of the voter registration process, the provisional voter registration list, and of the steps necessary to provide a final voter registration list to the NEC and the political parties. Creative Associates reported that the provisional list contained approximately 1.22 million names (Note: the initial list contained 1.36 million unique registrants. The agreed parameters were then run on the database, removing 130,000 from the list. The number of disqualified registrants was about half the amount expected. End note.)

15. (SBU) After the preliminary figures were presented to the representatives of the three parties, two of the parties (UDUB and UCID) expressed disappointment at what they said was the very high number of registered voters. (Note: Most experts believe that a large number of voters would favor Kulmiye. End note.) The party representatives discussed possible ways to tweak the parameters in order to produce a more "accurate" (and smaller) list. The elections expert noted that, even if somewhat flawed, the voter registration process would result in a more transparent and technically "better" election than past contests, which had been held without benefit of a voter registration process. Among the options considered for refining the list were:

NAIROBI 00001657 002 OF 003

-- hold the election with the current list and protect against fraud with measures such as finger-inking, a massive voter education campaign, and a stronger NEC;

-- tweak one or more of the parameters to produce a more realistic list. Redaction of the list would delay its delivery to the NEC and political parties, but even a delay of approximately two weeks would not affect the election date.

Ruling Party Advocates Elections
Without Voter Registration List

16. (SBU) On July 27, the opposition parties Kulmiye and UCID publicly announced that they would accept the list in its present form. In a surprise move, the NEC Chairman Jama Mahamud Umar (of the UDUB ruling party) announced in an interview on the BBC Somali Service that the NEC would throw out the list entirely and conduct the elections in the "traditional" way. Umar's announcement was triggered by a signed letter from four of the seven NEC members who had advocated "traditional" elections. Several of our contacts told us that President Riyale had met with the NEC Chair and Vice-Chair on July 26 to advocate elections without the voter registration list. We also were told that President Riyale personally pressed each of the seven NEC members to sign the letter supporting this position.

17. (SBU) On July 28 and again on July 30, we spoke with Kulmiye Chairman Silanyo who expressed shock at this announcement. He told us that this position was definitely not the will all the parties, noting Kulmiye and UCID's joint announcement of July 27 that they would accept the list in its present form. Silanyo suggested that the international community make a public statement condemning the actions of the NEC and the government. He also advised that if the situation continued to deteriorate, Secretary Clinton should publicly admonish the Somaliland government. Several civil society representatives told us that the decision to abandon the lists had caused outrage among the general public. Mohamed Nur, the official Somaliland representative in Nairobi, told us that the move had been engineered by President Riyale and Minister of Finance Hussein Ali Dialeh in order to stay in power. Nur said, "This administration is desperate to win and as the incumbent, Riyale will fight against a

transparent system. Everyone knows that if one million Somalilanders voted, (Riyale's party) would definitely lose the election."

Joint Donor Statement

18. (U) The Somaliland Democratization Program Steering Committee, comprising the U.S., UK, EC, Norway, Sweden, Denmark, and Switzerland (the U.S. and UK are co-chairs), released the following statement on July 29:

Begin text: "The donors congratulate the Somaliland people on the production of a voter list on July 27, 2009, which is now ready and available. This represents the culmination of enormous effort by the stakeholders and an important opportunity for the Somaliland people.

"The donors recognise that the production of the voter list, as positively evaluated by an independent U.S. company, provides a credible basis for the holding of free and fair elections. The production of the voter list is mandated by the relevant Somaliland electoral laws and in line with the consensual agreements among the political parties.

"The donors regret the announcement by the chair of the National Electoral Commission on the BBC Somali Service on July 28, 2009, of an intention to hold the presidential elections without the voter list which, if carried forward, would represent a significant loss for the Somaliland people - as well as for Somaliland's democratization process.

The donors urge all Somaliland stakeholders to draw on the long-standing Somaliland tradition of consensual decision-making and capacity for leadership in order to reconcile any differences and prepare for the holding of credible, free and fair presidential elections." End text.

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NAIROBI 00001657 003 OF 003

International Advisor Declared Persona Non Grata
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19. (SBU) On July 29, Interpeace technicians provided copies of the provisional voter registration list to all of the parties. They also presented a printed version of the list, in order to dispel rumors that no list existed. The NEC chair objected strongly to the release of the list, although that had been agreed in advance. On July 30, Somaliland police surrounded the building in which Interpeace's lead technician was located. He was declared "persona non grata" by the Somaliland administration and expelled the same day. At the airport, security officials confiscated his laptop, CDs, notes, and other documents.

110. (SBU) With the technician expelled, the server that contained the program and the password-protected data remains at NEC headquarters and all of the hardware procured for the voter registration process (including 1,000 laptop computers) at the NEC warehouse. Copies of the voter registration list and back-up copies of the data on the server have already been taken to safe places outside of Somaliland.

Media Blackout

111. (SBU) The two opposition parties hastily scheduled a press conference on the morning of July 30, to bring attention to the deportation of Interpeace's staff. In what has become a common pattern of media harassment (ref B), the Somaliland authorities on July 29 ordered Horn Cable Television to suspend broadcasting. (Note: This cable station is independently-owned and operated and has the largest coverage in Somaliland.) We spoke with the CEO of HCTV who confirmed that police entered the station to order its closure, and arrested a journalist and the chief editor. (The

editor was released on July 30.) Our contacts told us that while the public opposes the NEC announcement, without major media outlets operating, outreach and mobilization is limited.

Comment

¶12. (SBU) The situation in Somaliland remains fluid. We have contacted the major opposition parties, which have both expressed outrage at the NEC's announcement. We have tried to reach President Riyale, but his staff has rebuffed our efforts. The UK Special Envoy in Addis Ababa had been scheduled to speak to Riyale on July ¶30. His call was cancelled. Most of our contacts agree that Riyale himself is behind the NEC decision to throw out the list, and with it the almost 10 million dollar investment by the international community in the voter registration process. The fact that the majority of NEC members jettisoned an electoral process that they were supposed to have been advancing suggests that, as constituted, the NEC is hostile to free, fair and transparent elections; as apparently is the incumbent administration, which conspired with the NEC to sabotage the election preparations.

RANNEBERGER